

Remarks

Reconsideration of this Application is respectfully requested.

Claims 1-7 are pending in the application, claim 1 being the independent claim.

The specification has been amended throughout to correct grammatical errors. These changes are believed to introduce no new matter, and their entry is respectfully requested.

Based on the above amendment and the following remarks, Applicants respectfully request that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

Summary of Interview

Applicants thank Examiners Coleman and Cronin for speaking with Applicants' representative, John Haran, and for the courtesies extended during the telephonic interview on July 24, 2008. The rejections of record were discussed as well as the applied art. It was agreed the Examiner would re-open prosecution of the application in response to this amendment and reply if a notice of allowance is not issued, and any new action would include a clarification as to how the teachings of the applied art disclose the claimed invention.

Rejections under the Skinner Patent

Claims 1-5 are rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent No. 4,355,609 to Skinner ("the Skinner patent"). Applicants respectfully traverse this rejection.

Claim 1 recites a governor device wherein "a set load changing means for the elastic member is attached to the first lever near the elastic member." The Skinner patent fails to disclose or suggest the claimed invention.

The Examiner states that in the Skinner patent "a set load changing means for the elastic member (24) is **attached to** the first lever (16) near the elastic member (24)" without specifying which element he considers to be the set load changing means in the Skinner patent. If the Examiner considers stop 19 to be a set load changing means, then stop 19 is not attached to lever 16 of the Skinner patent. There is no disclosure or suggestion in the Skinner patent that stop 19 or any other element of the Skinner patent is "a set load changing means for the elastic member is attached to the first lever near the elastic member." Accordingly, the Skinner patent fails to disclose or suggest the claimed invention.

For at least the reasons noted above, independent claim 1, and claims 2-5 which depend therefrom and add further limitations, are allowable. Applicants respectfully request that the rejections the claims 1-5 be withdrawn and the claims allowed. If the rejection is maintained, Applicants respectfully request that it be clearly indicated which element is considered to be the set load changing means.

Rejections under the Sakaguchi Publication

Claims 1, 6, and 7 are rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Pub. No. 2004/0163622 to Sakaguchi ("the Sakaguchi publication"). It is noted that the filing date of the national stage application is the same as the filing date of the PCT application, which is August 20, 2004. Accordingly, the Sakaguchi

publication, filed on January 16, 2004 and published on August 26, 2004 is available as prior art only under 35 U.S.C. § 102(e). Applicants respectfully traverse this rejection.

Applicants have reviewed the rejection of the claims based on the Sakaguchi publication as outlined in the Office Action. The Office Action refers to Figures 3 and 5 of the Sakaguchi publication as disclosing the claimed invention and does not specify which elements in the Sakaguchi publication correspond to the elements of the claimed invention. For example, the Office Action does not specify which elements in the Sakaguchi publication correspond to the claimed first, second, and third levers. Also, no further clarification of this rejection was provided during the interview of July 24, 2008.

It appears the Examiner may have considered inner arm 33 and outer arm 34 of the Sakaguchi publication to be two of the claimed levers. Claim 1 recites that the second lever is "pivotally supported by the first lever" and the third lever is "pivotally supported by the second lever." However, paragraph [0030] of the Sakaguchi publication discloses that the inner and outer arms 33, 34 are mutually integrally connected through a connection shaft 32a. Accordingly, the inner and outer arms 33, 34 do not move relative to one another and therefore, one does not pivotally support the other, as called for in claim 1. The Examiner has failed to establish the Sakaguchi publication anticipates the claimed invention.

For at least the reasons noted above, independent claim 1, and claims 6-7 which depend therefrom and add further limitations, are allowable. Applicants respectfully request that the rejections the claims 1, 6, and 7 be withdrawn and the claims allowed. If the rejection is maintained, Applicants respectfully request that it be clearly indicated

which elements disclosed in the Sakaguchi publication correspond to the elements of the claimed invention.

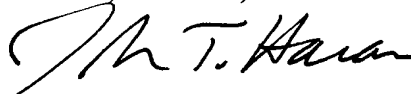
Conclusion

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



John T. Haran
Attorney for Applicants
Registration No. 58,010

Date: September 2, 2008

1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
(202) 371-2600
867534